

E-filed 5/31/06

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Attorneys for Plaintiff
BERGESON, LLP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BERGESON, LLP, a California Limited
Liability Partnership,

Plaintiff,

vs.

COUDERT BROTHERS, LLP, a New York
Limited Liability Partnership,

Defendants.

Case No. C05-05172 JF

**STIPULATION TO DISMISS ACTION
WITH PREJUDICE AND [PROPOSED]
ORDER**

Complaint Filed: December 13, 2005
Trial Date Set: None Set

1 WHEREAS, the parties to the above-captioned action (the "Action") entered into a
2 Settlement Agreement and Mutual Release ("Settlement Agreement") on May 22, 2006;

3 WHEREAS, under the terms of the Settlement Agreement, plaintiff agreed to request that
4 the Court dismiss the Action with prejudice within five days of the full execution of the Settlement
5 Agreement;

6 WHEREAS, the Settlement Agreement has been fully executed;

7 THEREFORE, the parties stipulate that the Action may be dismissed with prejudice and
8 respectfully request the Court to enter an order so dismissing the case.
9

10 Dated: May 30, 2006

BERGESON, LLP

11
12 By: /s/
13 Caroline McIntyre

14 Attorneys for Plaintiff
15 BERGESON, LLP

16 Dated: May 30, 2006

STEIN & LUBIN, LLP

17
18 By: /s/

19 Dennis D. Miller

20 Attorneys for Defendant
21 COUDERT BROTHERS, LLP
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1 **ATTESTATION** I, Caroline McIntyre, am the ECF User whose identification and password are
2 being used to file this document. In compliance with General Order 45.X.B., I hereby attest that
3 Dennis B. Miller has concurred with this filing.

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5 _____/s/
6 Caroline McIntyre
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19 Dennis D. Miller

20 Attorneys for Defendant
21 COUDERT BROTHERS, LLP

ORDER

The parties, having settled the Action and the relevant conditions for settlement having been satisfied, the parties having requested that the Court dismiss the Action with prejudice, and good cause appearing therefore,

IT IS HEREBY ORDERED that the Action is dismissed with prejudice. Each party is to bear its own fees and costs.

Dated: 5/31/06


HON. JEREMY FOGEL
United States District Judge